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SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE REACHED IN THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in documents S/25070 of 11 January 1993, S/25070/Add.4 of 4 February 1993, S/25070/Add.7 of 26 February 1993, S/25070/Add.8 of 8 March 1993, S/25070/Add.10 of 22 March 1993, S/25070/Add.13 of 13 April 1993, S/25070/Add.17 of 20 May 1993, S/25070/Add.19 of 3 June 1993, S/25070/Add.23 of 2 July 1993, S/25070/Add.24 of 6 July 1993, S/25070/Add.26 of 9 July 1993, S/25070/Add.29 of 30 July 1993, S/25070/Add.32 of 20 August 1993, S/25070/Add.34 of 3 September 1993, S/25070/Add.37 of 24 September 1993, S/25070/Add.39 of 7 October 1993, S/25070/Add.41 of 22 October 1993, S/25070/Add.42 of 29 October 1993 and S/25070/Add.43 of 4 November 1993.

During the week ending 13 November 1993, at its 3309th, 3310th and 3311th meetings, all held on 10 November 1993, the Security Council proceeded to the election of five members of the International Court of Justice, in accordance with Article 13 of the Statute of the Court, to fill the five seats that will become vacant on 5 February 1994 on the expiry of the terms of office of five Judges.

At the outset of the 3309th meeting, the President of the Security Council (Cape Verde) reported his decision to the Council that, after fully considering the exceptional circumstances of the case and acting within the discretion which rule 20 of the Council's provisional rules of procedure provided the President, he had decided not to preside over the Council during its proceedings in connection with the election of five members of the International Court of Justice. Consequently, in accordance with rule 20 of the Council's provisional rules of procedure, he invited the President for the month of December 1993, China, to take the Chair for the purpose of the consideration of the question on the Council's agenda.

At the same meeting, the following five candidates received the required majority of votes in the Security Council: Mr. Carl-August Fleischhauer (Germany), Mr. Shigeru Oda (Japan), Mr. Jiuyong Shi (China), Mr. Geza Herczegh (Hungary) and Mr. José Luis Jesus (Cape Verde). As Mr. Carl-August Fleischhauer, Mr. Shigeru Oda, Mr. Jiuyong Shi and Mr. Geza Herczegh also received the required majority of votes in the General Assembly, they were declared elected members of the International Court of Justice for a term of office of nine years, beginning on 6 February 1994.

Since, as a result of independent voting in the Security Council and in the General Assembly, only four candidates had obtained the required majority of votes in both bodies, the Security Council had to proceed to a second meeting to fill the remaining vacancy, in accordance with the provisions of Article 11 of the Statute of the Court.

At the 3310th meeting, Mr. José Luis Jesus (Cape Verde) received the required majority of votes in the Security Council. Since a different candidate received the required majority of votes in the General Assembly, the Security Council had to proceed to a third meeting, in accordance with Article 11 of the Statute of the Court, to fill the remaining vacancy.

At the 3311th meeting, Mr. Abdul G. Koroma (Sierra Leone) received the required majority of votes in the Security Council. As Mr. Abdul G. Koroma also received the required majority of votes in the General Assembly, he was declared elected a member of the International Court of Justice for a nine-year term of office, beginning on 6 February 1994.

Also during the week ending 13 November 1993, the Security Council took action on the following items:

The situation in Georgia (see S/23370/Add.40, S/25070/Add.4, S/25070/Add.26, S/25070/Add.27, S/25070/Add.31, S/25070/Add.34, S/25070/Add.37, S/25070/Add.42 and S/25070/Add.44)

The Security Council resumed its consideration of the item at its 3307th meeting, held on 8 November 1993, in accordance with the understanding reached in its prior consultations.

The President of the Security Council stated that, following consultations of the Council, he had been authorized to make the following statement on behalf of the Council (S/26706):

> "The Security Council is following with deep concern developments in the Republic of Georgia, where the continuing disorder has led to mass suffering of the civilian population and threatens to worsen seriously the humanitarian situation in neighbouring Azerbaijan and Armenia.
>
> "In this connection, the Security Council notes the appeal by the Government of the Republic of Georgia to the Russian Federation, the Azerbaijani Republic and the Republic of Armenia for assistance to protect and ensure the uninterrupted operation of railroads in the Republic of Georgia. These are crucial communication links for the three Transcaucasian countries. The Council welcomes the improvement in security

for the lines of communication that has followed the Russian Federation's response, which was made in accordance with the wishes of the Government of the Republic of Georgia.

"The Security Council appeals to the international community to continue its efforts to provide emergency humanitarian assistance to the population of the Republic of Georgia.

"The Security Council will remain seized of the matter, and asks to be kept informed of developments by the parties concerned on a regular basis."

The situation in the Republic of Bosnia and Herzegovina (see S/23370/Add.36, S/23370/Add.40, S/23370/Add.43, S/23370/Add.45, S/25070/Add.1, S/25070/Add.4, S/25070/Add.7, S/25070/Add.8, S/25070/Add.9, S/25070/Add.11, S/25070/Add.12, S/25070/Add.15, S/25070/Add.16, S/25070/Add.18, S/25070/Add.22, S/25070/Add.23, S/25070/Add.24, S/25070/Add.26, S/25070/Add.29, S/25070/Add.34 and S/25070/Add.37; see also S/22110/Add.38, S/22110/Add.47, S/22110/Add.50, S/23370/Add.1, S/23370/Add.5, S/23370/Add.7, S/23370/Add.14, S/23370/Add.16, S/23370/Add.19, S/23370/Add.21, S/23370/Add.23, S/23370/Add.24, S/23370/Add.26, S/23370/Add.28, S/23370/Add.29, S/23370/Add.31, S/23370/Add.32, S/23370/Add.35, S/23370/Add.37, S/23370/Add.40, S/23370/Add.46, S/23370/Add.49, S/23370/Add.50, S/25070/Add.13, S/25070/Add.17, S/25070/Add.19, S/25070/Add.20, S/25070/Add.24, S/25070/Add.26, S/25070/Add.28, S/25070/Add.30, S/25070/Add.32, S/25070/Add.39, S/25070/Add.40 and S/25070/Add.42)

The Security Council resumed its consideration of the item at its 3308th meeting, held on 9 November 1993, in accordance with the understanding reached in its prior consultations.

The President, with the consent of the Council, invited the representative of Bosnia and Herzegovina, at his request, to participate in the discussion without the right to vote.

The President of the Security Council stated that, following consultations of the Council, he had been authorized to make the following statement on behalf of the Council (S/26716):

"The Security Council expresses its deep concern at the reports on the deterioration of the situation in Central Bosnia where increased military activities are seriously threatening security of the civilian population.

"The Security Council demands that all parties and others concerned refrain from taking any action that threatens the safety and well-being of the civilian population.

"The Security Council is equally concerned at the overall humanitarian situation prevailing in the Republic of Bosnia and Herzegovina. It reiterates its demand to all parties and others concerned to guarantee unimpeded access for humanitarian assistance.

"The Security Council, aware of the heavy burden that these developments add to the existing precarious humanitarian situation of the refugees and displaced persons in the Republic of Bosnia and Herzegovina

and in the surrounding countries, calls on all parties to assist the competent United Nations agencies and other humanitarian organizations in their efforts to provide relief to the affected civilian population in those countries.

"The Security Council urges all parties and others concerned to exert the utmost restraint and refrain from taking any action which might exacerbate the situation."

At the same meeting, the President of the Security Council stated that, following consultations of the Security Council, he had been authorized to make the following statement on behalf of the Council (S/26717):

"The Security Council is profoundly shocked to learn of the incident which took place on 8 November 1993 in which two persons were taken hostage by the Bosnian Serb forces, while members of a delegation headed by Monsignor Vinko Puljic, the Archbishop of Sarajevo, travelling to the city of Vares on a mission of peace, under the protection of the United Nations Protection Force (UNPROFOR).

"The Security Council strongly condemns this outrageous act, which is a flagrant challenge to the authority and inviolability of UNPROFOR.

"The Security Council takes note that, despite the prompt and commendable intervention of the Special Representative of the Secretary-General, neither of the hostages has been released and demands that the Bosnian Serb forces proceed immediately to release them. The Council reminds the perpetrators of this act that they are obligated to ensure that no harm comes to the individuals being held and that those responsible for violations of international humanitarian law will be held personally accountable for their actions.

"The Security Council requests the Secretary-General to undertake a thorough investigation of the incident and to report to the Council without delay. It urges all parties and others concerned to refrain from taking any action which might further exacerbate the situation.

"The Security Council condemns all attacks and hostile acts against UNPROFOR by all parties in the Republic of Bosnia and Herzegovina, as well as in the Republic of Croatia, which have become more frequent over the last weeks, and demands that they cease forthwith."

Letters dated 20 and 23 December 1991 from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (see S/23370/Add.3 and S/23370/Add.13)

The Security Council met to consider the item at its 3312th meeting, held on 11 November 1993, in accordance with the understanding reached in its prior consultations.

Following the adoption of the agenda for the meeting, the President stated that, as had been agreed in the Council's prior consultations, the current formulation superseded the earlier two formulations under which the item had

been discussed, namely, items 168 and 173 of the list of matters of which the Security Council is seized (S/25070), since those items had been subsumed under the present item. Accordingly, items 168 and 173 would be deleted from the list of matters of which the Security Council is seized.

Subsequently, the President, with the consent of the Council, invited the representatives of Egypt, the Libyan Arab Jamahiriya and the Sudan, at their request, to participate in the discussion without the right to vote.

The President drew attention to the text of a draft resolution (S/26701), which had been submitted by France, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council proceeded to vote on draft resolution S/26701 and adopted it by 11 votes in favour to none against, with 4 abstentions (China, Djibouti, Morocco and Pakistan), as resolution 883 (1993).

Resolution 883 (1993) reads as follows:

The Security Council,

Reaffirming its resolutions 731 (1992) of 21 January 1992 and 748 (1992) of 31 March 1992,

Deeply concerned that after more than twenty months the Libyan Government has not fully complied with these resolutions,

Determined to eliminate international terrorism,

Convinced that those responsible for acts of international terrorism must be brought to justice,

Convinced also that the suppression of acts of international terrorism, including those in which States are directly or indirectly involved, is essential for the maintenance of international peace and security,

Determining, in this context, that the continued failure by the Libyan Government to demonstrate by concrete actions its renunciation of terrorism, and in particular its continued failure to respond fully and effectively to the requests and decisions in resolutions 731 (1992) and 748 (1992), constitute a threat to international peace and security,

Taking note of the letters to the Secretary-General dated 29 September and 1 October 1993 from the Secretary of the General People's Committee for Foreign Liaison and International Cooperation of Libya (S/26523) and his speech in the General Debate at the forty-eighth session of the General Assembly (A/48/PV.20) in which Libya stated its intention to encourage those charged with the bombing of Pan Am 103 to appear for trial in Scotland and its willingness to cooperate with the competent French authorities in the case of the bombing of UTA 772,

Expressing its gratitude to the Secretary-General for the efforts he has made pursuant to paragraph 4 of resolution 731 (1992),

Recalling the right of States, under Article 50 of the Charter, to consult the Security Council where they find themselves confronted with special economic problems arising from the carrying out of preventive or enforcement measures,

Acting under Chapter VII of the Charter,

1. Demands once again that the Libyan Government comply without any further delay with resolutions 731 (1992) and 748 (1992);

2. Decides, in order to secure compliance by the Libyan Government with the decisions of the Council, to take the following measures, which shall come into force at 00.01 EST on 1 December 1993 unless the Secretary-General has reported to the Council in the terms set out in paragraph 16 below;

3. Decides that all States in which there are funds or other financial resources (including funds derived or generated from property) owned or controlled, directly or indirectly, by:

(a) the Government or public authorities of Libya, or

(b) any Libyan undertaking,

shall freeze such funds and financial resources and ensure that neither they nor any other funds and financial resources are made available, by their nationals or by any persons within their territory, directly or indirectly, to or for the benefit of the Government or public authorities of Libya or any Libyan undertaking, which for the purposes of this paragraph, means any commercial, industrial or public utility undertaking which is owned or controlled, directly or indirectly, by

(i) the Government or public authorities of Libya,

(ii) any entity, wherever located or organized, owned or controlled by (i), or

(iii) any person identified by States as acting on behalf of (i) or (ii) for the purposes of this resolution;

4. Further decides that the measures imposed by paragraph 3 above do not apply to funds or other financial resources derived from the sale or supply of any petroleum or petroleum products, including natural gas and natural gas products, or agricultural products or commodities, originating in Libya and exported therefrom after the time specified in paragraph 2 above, provided that any such funds are paid into separate bank accounts exclusively for these funds;

5. Decides that all States shall prohibit any provision to Libya by their nationals or from their territory of the items listed in the annex to

this resolution, as well as the provision of any types of equipment, supplies and grants of licensing arrangements for the manufacture or maintenance of such items;

6. Further decides that, in order to make fully effective the provisions of resolution 748 (1992), all States shall:

(a) require the immediate and complete closure of all Libyan Arab Airlines offices within their territories;

(b) prohibit any commercial transactions with Libyan Arab Airlines by their nationals or from their territory, including the honouring or endorsement of any tickets or other documents issued by that airline;

(c) prohibit, by their nationals or from their territory, the entering into or renewal of arrangements for:

(i) the making available, for operation within Libya, of any aircraft or aircraft components, or

(ii) the provision of engineering or maintenance servicing of any aircraft or aircraft components within Libya;

(d) prohibit, by their nationals or from their territory, the supply of any materials destined for the construction, improvement or maintenance of Libyan civilian or military airfields and associated facilities and equipment, or of any engineering or other services or components destined for the maintenance of any Libyan civil or military airfields or associated facilities and equipment, except emergency equipment and equipment and services directly related to civilian air traffic control;

(e) prohibit, by their nationals or from their territory, any provision of advice, assistance, or training to Libyan pilots, flight engineers, or aircraft and ground maintenance personnel associated with the operation of aircraft and airfields within Libya;

(f) prohibit, by their nationals or from their territory, any renewal of any direct insurance for Libyan aircraft;

7. Confirms that the decision taken in resolution 748 (1992) that all States shall significantly reduce the level of the staff at Libyan diplomatic missions and consular posts includes all missions and posts established since that decision or after the coming into force of this resolution;

8. Decides that all States, and the Government of Libya, shall take the necessary measures to ensure that no claim shall lie at the instance of the Government or public authorities of Libya, or of any Libyan national, or of any Libyan undertaking as defined in paragraph 3 of this resolution, or of any person claiming through or for the benefit of any such person or undertaking, in connection with any contract or other transaction or commercial operation where its performance was affected by reason of the measures imposed by or pursuant to this resolution or related resolutions;

9. Instructs the Committee established by resolution 748 (1992) to draw up expeditiously guidelines for the implementation of paragraphs 3 to 7 of this resolution, and to amend and supplement, as appropriate, the guidelines for the implementation of resolution 748 (1992), especially its paragraph 5 (a);

10. Entrusts the Committee established by resolution 748 (1992) with the task of examining possible requests for assistance under the provisions of Article 50 of the Charter of the United Nations and making recommendations to the President of the Security Council for appropriate action;

11. Affirms that nothing in this resolution affects Libya's duty scrupulously to adhere to all of its obligations concerning servicing and repayment of its foreign debt;

12. Calls upon all States, including States not Members of the United Nations, and all international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the effective time of this resolution;

13. Requests all States to report to the Secretary-General by 15 January 1994 on the measures they have instituted for meeting the obligations set out in paragraphs 3 to 7 above;

14. Invites the Secretary-General to continue his role as set out in paragraph 4 of resolution 731 (1992);

15. Calls again upon all Member States individually and collectively to encourage the Libyan Government to respond fully and effectively to the requests and decisions in resolutions 731 (1992) and 748 (1992);

16. Expresses its readiness to review the measures set forth above and in resolution 748 (1992) with a view to suspending them immediately if the Secretary-General reports to the Council that the Libyan Government has ensured the appearance of those charged with the bombing of Pan Am 103 for trial before the appropriate United Kingdom or United States court and has satisfied the French judicial authorities with respect to the bombing of UTA 772, and with a view to lifting them immediately when Libya complies fully with the requests and decisions in resolutions 731 (1992) and 748 (1992); and requests the Secretary-General, within 90 days of such suspension, to report to the Council on Libya's compliance with the remaining provisions of its resolutions 731 (1992) and 748 (1992) and, in the case of non-compliance, expresses its resolve to terminate immediately the suspension of these measures;

17. Decides to remain seized of the matter.

Annex

The following are the items referred to in paragraph 5 of this resolution:

I. Pumps of medium or large capacity whose capacity is equal to or larger than 350 cubic metres per hour and drivers (gas turbines and electric motors) designed for use in the transportation of crude oil and natural gas

II. Equipment designed for use in crude oil export terminals:

- Loading buoys or single point moorings (spm)
- Flexible hoses for connection between underwater manifolds (plem) and single point mooring and floating loading hoses of large sizes (from 12" to 16")
- Anchor chains

III. Equipment not specially designed for use in crude oil export terminals but which because of their large capacity can be used for this purpose:

- Loading pumps of large capacity (4,000 m3/h) and small head (10 bars)
- Boosting pumps within the same range of flow rates
- Inline pipe line inspection tools and cleaning devices (i.e. pigging tools) (16" and above)
- Metering equipment of large capacity (1,000 m3/h and above)

IV. Refinery equipment:

- Boilers meeting American Society of Mechanical Engineers 1 standards
- Furnaces meeting American Society of Mechanical Engineers 8 standards
- Fractionation columns meeting American Society of Mechanical Engineers 8 standards
- Pumps meeting American Petroleum Institute 610 standards
- Catalytic reactors meeting American Society of Mechanical Engineers 8 standards

- Prepared catalysts, including the following:

  Catalysts containing platinum
  Catalysts containing molybdenum

V. Spare parts destined for the items in I to IV above.

The situation relating to Nagorny Karabakh (see S/23370/Add.19, S/23370/Add.43, S/25070/Add.14, S/25070/Add.17, S/25070/Add.30, S/25070/Add.33 and S/25070/Add.41)

By a letter dated 26 October 1993 addressed to the President of the Security Council (S/26647), the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations transmitted a letter of the same date from the President of the Azerbaijani Republic to the President of the Security Council, in which the President of Azerbaijan referred to "events resulting from the new escalation of aggression" by Armenia against Azerbaijan, in particular the attack on 23 October 1993 by the armed forces of Armenia in the Djebrail, Fizuli, Zangelan and Kubatly districts of Azerbaijan. He requested an urgent meeting of the Security Council for the "condemnation" of those actions as "direct aggression" and for the adoption of effective military, political and economic sanctions against Armenia under Chapter VII of the Charter of the United Nations.

By a letter dated 27 October 1993 addressed to the President of the Security Council (S/26650), the Permanent Representative of Turkey to the United Nations requested the Security Council to convene urgently in order to take "effective enforcement measures to stop the Armenian aggression" against Azerbaijan and to secure "the immediate, complete and unconditional withdrawal of Armenian forces from all occupied Azerbaijani territories".

By a letter dated 28 October 1993 addressed to the President of the Security Council (S/26662), the Deputy Permanent Representative of the Islamic Republic of Iran requested the convening of an urgent meeting of the Security Council to address the issue of destabilizing developments close to the northern border of that country resulting from the recent escalation of fighting against the territory of the Azerbaijani Republic and to take necessary measures, including the dispatch of peace-keeping forces to the area, to consolidate the cease-fire and allow for efforts to achieve a just and honourable solution to the conflict.

The Security Council resumed its consideration of the item at its 3313th meeting, held on 12 November 1993, in response to the above requests.

The President, with the consent of the Council, invited the representatives of Armenia, Azerbaijan, the Islamic Republic of Iran and Turkey, at their request, to participate in the discussion without the right to vote.

The President drew attention to the text of a draft resolution (S/26719), which had been prepared in the course of the Council's prior consultations.

The Security Council then proceeded to vote on draft resolution S/26719 and adopted it unanimously as resolution 884 (1993).

Resolution 884 (1993) reads as follows:

The Security Council,

Reaffirming its resolutions 822 (1993) of 30 April 1993, 853 (1993) of 29 July 1993 and 874 (1993) of 14 October 1993,

Reaffirming its full support for the peace process being pursued within the framework of the Conference on Security and Cooperation in Europe (CSCE), and for the tireless efforts of the CSCE Minsk Group,

Taking note of the letter dated 9 November 1993 from the Chairman-in-Office of the Minsk Conference on Nagorny Karabakh addressed to the President of the Security Council and its enclosures (S/26718, annex),

Expressing its serious concern that a continuation of the conflict in and around the Nagorny Karabakh region of the Azerbaijani Republic, and of the tensions between the Republic of Armenia and the Azerbaijani Republic, would endanger peace and security in the region,

Noting with alarm the escalation in armed hostilities as consequence of the violations of the cease-fire and excesses in the use of force in response to those violations, in particular the occupation of the Zangelan district and the city of Goradiz in the Azerbaijani Republic,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing grave concern at the latest displacement of a large number of civilians and the humanitarian emergency in the Zangelan district and the city of Goradiz and on Azerbaijan's southern frontier,

1. Condemns the recent violations of the cease-fire established between the parties, which resulted in a resumption of hostilities, and particularly condemns the occupation of the Zangelan district and the city of Goradiz, attacks on civilians and bombardments of the territory of the Azerbaijani Republic;

2. Calls upon the Government of Armenia to use its influence to achieve compliance by the Armenians of the Nagorny Karabakh region of the Azerbaijani Republic with resolutions 822 (1993), 853 (1993) and 874 (1993), and to ensure that the forces involved are not provided with the means to extend their military campaign further;

3. Welcomes the Declaration of 4 November 1993 of the nine members of the CSCE Minsk Group (S/26718) and commends the proposals contained therein for unilateral cease-fire declarations;

4. Demands from the parties concerned the immediate cessation of armed hostilities and hostile acts, the unilateral withdrawal of occupying

forces from the Zangelan district and the city of Goradiz, and the withdrawal of occupying forces from other recently occupied areas of the Azerbaijani Republic in accordance with the "Adjusted timetable of urgent steps to implement Security Council resolutions 822 (1993) and 853 (1993)" (S/26522, appendix) as amended by the CSCE Minsk Group meeting in Vienna of 2 to 8 November 1993;

5. Strongly urges the parties concerned to resume promptly and to make effective and permanent the cease-fire established as a result of the direct contacts undertaken with the assistance of the Government of the Russian Federation in support of the CSCE Minsk Group, and to continue to seek a negotiated settlement of the conflict within the context of the CSCE Minsk process and the "Adjusted timetable" as amended by the CSCE Minsk Group meeting in Vienna of 2 to 8 November 1993;

6. Urges again all States in the region to refrain from any hostile acts and from any interference or intervention, which would lead to the widening of the conflict and undermine peace and security in the region;

7. Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population, including that in the Zangelan district and the city of Goradiz and on Azerbaijan's southern frontier, and to assist refugees and displaced persons to return to their homes in security and dignity;

8. Reiterates its request that the Secretary-General, the Chairman-in-Office of the CSCE and the Chairman of the CSCE Minsk Conference continue to report to the Council on the progress of the Minsk process and on all aspects of the situation on the ground, in particular on the implementation of its relevant resolutions, and on present and future cooperation between the CSCE and the United Nations in this regard;

9. Decides to remain actively seized of the matter.